

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 BENJAMIN ESPINOSA,

5 Plaintiff,

6 v.

7 WILLIAM GITTERE, *et al.*,

8 Defendants.

Case No. 3:21-CV-00205-ART-CLB

ORDER RE: SERVICE OF PROCESS

9 The Office of the Attorney General did not accept service of process on behalf
10 of **Brittany Caldwell** who is no longer an employee of the Nevada Department of
11 Corrections. (ECF No. 37.) However, the Attorney General has filed the last known
12 address of this Defendant under seal. (ECF No. 38.)

13 Accordingly, the Clerk shall ISSUE a summons for the above-named
14 Defendant and send the same to the U.S. Marshal with the address provided under
15 seal. (ECF No. 38.) The Clerk shall also SEND sufficient copies of the
16 amended complaint, (ECF No. 23), the screening order, (ECF No. 22), a copy of
17 the order granting amendment to the first amended complaint, (ECF No.
18 36), and this order to the U.S. Marshal for service on the Defendant. The Court
19 will separately provide to the U.S. Marshal a completed USM 285 form for the
20 Defendant.

21 Plaintiff is reminded that if the above-named Defendant is not served by
22 February 1, 2023,¹ she will be dismissed for failure to complete service of process
23 pursuant to Fed. R. Civ. P. 4(m).

24
25 **DATED:** November 21, 2022.

26 
UNITED STATES MAGISTRATE JUDGE

27 ¹ This date represents 90 days from the date of the order amending the first
28 amended complaint (ECF No. 36). See Fed. R. Civ. P. 4(m) (requiring service on
defendants within 90 days after a complaint is filed).